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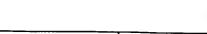
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FIRST NAMED INVENTOR APPLICATION NO. **FILING DATE** ATTORNEY DOCKET NO. 5 07977/015003 YAMAZAKI 03/02/00 09/517,354 EXAMINER MMC2/0731 PARKER, K SCOTT C HARRIS PAPER NUMBER **ART UNIT** FISH & RICHARDSON FC 4350 LA JOLLA VILLAGE DRIVE SUITE 500 2871 SAN DIEGO CA 92122 DATE MAILED: 07/31/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



Office Action Summary

Application No. 09/517,354

Applicant(s)

Yamazaki et al

Examiner

First Last

Art Unit 1234



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). **Status** 1) Responsive to communication(s) filed on Apr 23, 2001 2a) This action is FINAL. 2b) X This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213. Disposition of Claims 4) X Claim(s) 1-27 is/are pending in the application. 4a) Of the above, claim(s) 3, 7, 20, and 24 is/are withdrawn from consideration. 5) Claim(s) 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) X Claims 1, 2, 4-6, 8-19, 21-23, and 25-27 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner. 11) The proposed drawing correction filed on \_\_\_\_\_\_ is: a) approved b) disapproved. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d). a) ☐ All b) ☐ Some\* c) ☐ None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). \*See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). Attachment(s) 15) Notice of References Cited (PTO-892) 18) Interview Summary (PTO-413) Paper No(s). 16) Notice of Dreftsperson's Patent Drawing Review (PTO-948) 19) Notice of Informal Patent Application (PTO-152) 17) Information Disclosure Statement(s) (PTO-1449) Paper No(s). 20) Other:



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## Election/Restriction

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-2, 4-6, 8-15, drawn to a liquid crystal device with a particular electrode structure, classified in class 349 subclass 152.
  - II. Claims 16-19, 21-23, 26-27, drawn to a liquid crystal device with a particular contact structure, classified in class 349 subclass 139.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)).

Here other contacts can be used, such as flat terminal strips, and other electrode contact structures can be used, such as the non transparent metalizations of the source or drain lines.

2. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, and the substantial non-overlapping searches, restriction for examination purposes as indicated is proper.

Here, the issues of the contact structure have little to no baring on the electrode structure employed, and are separate concepts with separate searches.

Applicant is advised that the response to this requirement to be complete must include an

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election of the invention to be examined even though the requirement be traversed (37

CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the

inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently

named inventors is no longer an inventor of at least one claim remaining in the application. Any

amendment of inventorship must be accompanied by a diligently-filed petition under 37

CFR 1.48(b) and by the fee required under 37 CFR 1.17(h).

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Kenneth Parker whose telephone number is (703) 305-6202. The fax phone

number for this Group is (703) 308-7726. Any inquiry of a general nature or relating to the status

of this application or preceding should be directed to the Group receptionist whose telephone

number is (703) 308-0956.

July 30, 2001

KENNETH ALLEN PARKER PATENT EXAMINER

GAU 2871